

Exhibit 1

CV53610

Filed 7/1/2022 1:25 PM
 Kendra Popp-Charbula
 District Clerk
 Wharton County, Texas

Abby Moreno

CAUSE NO. CV53610

LUIS CUEVAS <i>Plaintiff,</i> v. DANIEL ST JULIETTE and LANDSTAR RANGER INC. <i>Defendants,</i>	§ § § § § § § § § §	IN THE DISTRICT COURT OF WHARTON COUNTY, TEXAS <u>329TH</u> JUDICIAL DISTRICT
--	--	--

PLAINTIFF'S ORIGINAL PETITION

Plaintiff Luis Cuevas, (hereinafter, "Plaintiff"), complains of Defendant Daniel St Juliette and Landstar Ranger Inc. (hereinafter called "Defendants"), and would respectfully show the Court that:

Discovery Control Plan

1. Plaintiff intends to conduct discovery in this matter under Level 3 of the Texas Rules of Civil Procedure.

Jurisdiction and Venue

2. The claims asserted arise under the common law of Texas. This Court has jurisdiction and venue is proper because all or a substantial part of the events or omissions giving rise to the claim occurred in Wharton County, Texas.

Statement Regarding Monetary Relief Sought

3. Pursuant to Texas Rule of Civil Procedure 47(c), Plaintiff seeks monetary relief over \$250,000.00 but not more than \$1,000,000.00. The damages sought are within the jurisdictional limits of the court. Plaintiff demands for judgment for all other relief to which Plaintiff deems entitled. Plaintiff expressly reserves the right to amend this Rule 47 statement of relief if necessary.

CV53610

Parties

4. Plaintiff, Luis Cuevas, is an individual residing in Harris County, Texas.
5. Defendant Daniel St Juliette (“St. Juliette”) is an individual residing in Queens County, Texas. Defendant may be served with process at his residence at 13712 Frankton St., Rosedale, New York 11422, or wherever he may be found.
6. Defendant Landstar Ranger Inc. (“Landstar”) is a company organized under the laws of the State of Delaware. Defendant Landstar may be served with process by serving its registered agent, CT Corporation System at 1999 Bryan St., Ste. 900 Dallas, Texas 75201.

Facts

7. This lawsuit is necessary as a result of personal injuries Plaintiff suffered on or about June 9, 2022. At that time, Plaintiff was driving on 59 N and 523. When the Plaintiff fully changed to the left lane the Defendants 18-wheeler turns into the same lane striking the Plaintiffs vehicle. The Defendant hit the Plaintiff with his trailer, dragging him and finally landing in the grass part of the median. As a result of Defendant’s negligence and/or negligence *per se*, Plaintiff suffered extensive and permanent injuries.

Negligence – Defendant Daniel St. Juliette

8. Defendants aforementioned conduct constitutes negligence and/or negligence *per se* for one or more of the following reasons:
 - a) Failing to control the vehicle’s speed;
 - b) Failed to timely apply his brakes
 - c) Failed to yield right-of-way;
 - d) Failing to operate the vehicle safely;
 - e) Failing to turn the vehicle in an effort to avoid a collision;

CV53610

- f) Failing to maintain a proper lookout in order to avoid a collision;
- g) Failing to maintain a safe distance;
- h) Failing to make a proper lane change;
- i) Switching lanes when unsafe;
- j) Failure to maintain single lane;
- k) Violating applicable, local, state, and federal laws and/or regulations; and
- l) Other acts so deemed negligent.

Damages

9. As a result of these acts or omissions, Plaintiff claims all damages recognizable by law.

10 By virtue of the actions and conduct of Defendants set forth above, Plaintiff is seriously injured and is entitled to recover the following damages:

- a. Past and future medical expenses;
- b. Past and future pain, suffering and mental anguish;
- c. Past and future physical impairment;
- d. Past and future physical disfigurement;
- e. Past lost wages and future loss of earning capacity.

11 By reason of the above, Plaintiff is entitled to recover damages from Defendants in an amount within the jurisdictional limits of this Court, as well as pre and post-judgment interest.

Initial Disclosures

12 Pursuant to Texas Rule of Civil Procedure 194.2, Defendants are required to disclose, within thirty (30) days after the filing of the first answer the information and materials described in Rule 194.2(b).

Rule 193.7 Notice

13 Plaintiff hereby gives actual notice to Defendants that any and all documents produced may be used against Defendants at any pre-trial proceeding and/or at trial of this matter without the necessity of authenticating the documents.

Prayer

Plaintiff prays that these citations issue and be served upon Defendants in a form and manner prescribed by law, requiring that Defendants appear and answer, and that upon final hearing, Plaintiff has judgment against Defendants, both jointly and severally, in a total sum in excess of the minimum jurisdictional limits of this Court, plus pre-judgment and post judgment interests, all costs of Court, and all such other and further relief, to which Plaintiff may show himself justly entitled.

Respectfully submitted,

DASPIT LAW FIRM

/s/ Jesus A. Salinas

Jesus A. Salinas
Texas State Bar No. 24106387
440 Louisiana St., Suite 1400
Houston, Texas 77002
Telephone: (713) 588-0383
Facsimile: (713) 587-9086
Email: jesus@daspitlaw.com

ATTORNEY FOR PLAINTIFF

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Orianny Martinez on behalf of John Daspit
 Bar No. 24048906
 omartinez@daspitlaw.com
 Envelope ID: 65975485
 Status as of 7/1/2022 1:36 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
John Daspit		e-service@daspitlaw.com	7/1/2022 1:25:16 PM	SENT
Orianny Martinez		omartinez@daspitlaw.com	7/1/2022 1:25:16 PM	SENT
Jesus Salinas		jesus@daspitlaw.com	7/1/2022 1:25:16 PM	SENT
DLF Intake		intake@daspitlaw.com	7/1/2022 1:25:16 PM	SENT
Alma Lira		alira@proactivelegal.com	7/1/2022 1:25:16 PM	SENT
Jaine Holder		jholder@proactivelegal.com	7/1/2022 1:25:16 PM	SENT